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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE

In the Matter of:	)	
	)	No. JD201700058
PFLEGING-KAUHAIHAO,	)	
Conrad	)	<b>JOINDER IN DCS'S RESPONSE</b>
D.O.B.: 10/03/06	)	<b>OBJECTING TO</b>
PFLEGING-KAUHAIHAO,	)	<b>MATERNAL GRANDPARENTS'</b>
Devaki	)	<b>PETITION TO INTERVENE</b>
D.O.B.: 09/30/07	)	
PFLEGING-KAUHAIHAO,	)	
Whisper	)	(Hon. Terry Bannon)
D.O.B.: 12/19/08	)	
	)	
Person(s) Under 18 Years of Age.	)	
	)	

CONRAD, DEVAKI, and WHISPER PFLEGING-KAUHAIHAO ("the Children"), by and through their attorney, undersigned, join in *DCS's Response in Objection to Petition to Intervene*, filed in opposition to the Maternal Grandparents' *Verified Petition to Intervene*. The Children, through their attorney, support DCS' position that Priscilla and John Pfleging, the children's maternal grandparents ("Maternal Grandparents") are not entitled to intervention as a matter of right under Arizona Rule of Civil Procedure Rule 24(a), nor are the Maternal Grandparents entitled to permissive intervention under either Rule 24(b)(1) or Rule 24(b)(2).

In the alternative, if the Court were to find that the Maternal Grandparents should be allowed permissive intervention per Ariz. R. Civ. P. 24(b), then the party, or parties, opposing intervention must show that intervention is not in the children's best interests. *Bechtel v. Rose* 150 Ariz. 68, (1986) at 72. I would argue that said intervention by the Maternal Grandparents would NOT be in the Children's best interests for the following reasons:

(1) The Children do not want to be placed with the Maternal Grandparents.

Conrad, Devaki, and Whisper have each stated this to me, their attorney, on more than one occasion. I've learned from the children's CASA that the children have told her the same thing. Furthermore, the children told the DCS case manager months ago that they do not want any contact with the Maternal Grandparents.


(2) A request to place the Children with their Paternal Grandmother in Hawaii was made through the Interstate Compact for the Placement of Children (ICPC) several months ago and this ICPC is progressing. The Children stayed with their Paternal Grandmother in the past and they had contact with their extended paternal relatives—aunts, uncles, and cousins—in Hawaii. Conrad, Devaki, and Whisper have each stated to the DCS case manager, their CASA, and to their Attorney, that they want to live with Paternal Grandmother and be around their paternal relatives. The Children have frequent telephone contact with their paternal relatives and exchange cards and letters with them. If the Maternal Grandparents were allowed to intervene, it could prolong and unduly delay this dependency case and placement of the children with Paternal Grandmother.

WHEREFORE, the children, by and through undersigned counsel, respectfully requests  
this Court DENY the Maternal Grandparent's Petition to Intervene.

RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of November, 2018.

MARK A. SUAGEE  
COCHISE COUNTY PUBLIC DEFENDER

BY:

  
Janis H. Benson  
Deputy Public Defender

Copy of the foregoing delivered this  
9<sup>th</sup> day of November, 2018 to:

Hon. Terry Bannon  
Judge of the Superior Court  
Bisbee, AZ 85603  
*via inter-office mail\*\**

Eric Levy  
Asst. Attorney General  
*via email*

Christopher Caine  
Attorney for Mother  
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Priscilla Pfleging  
Maternal Grandmother  
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DCS  
Attn: Isela Chavarria-Leslie  
*via email*

CASA Program  
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